



<b>USDC SDNY</b>
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<b>DATE FILED:</b> 2/3/2021

**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

86 Chambers Street  
New York, New York 10007

February 3, 2021

**VIA ECF**

Hon. George B. Daniels  
United States District Judge  
United States District Court  
500 Pearl Street  
New York, New York 10007

Application GRANTED. Defendants shall respond to the Complaint no later than April 9, 2021. The initial conference scheduled for February 10, 2021 is adjourned to Thursday, April 22, 2021 at 11:00 a.m. before the undersigned. At the scheduled time, the parties shall each separately call (888) 278-0296 (or (214) 765-0479) and enter access code 6489745. SO ORDERED.

Dated: February 3, 2021

*Att cl an*

**Re: Yao, et al. v. Cuccinelli, et al., No. 20 Civ. 7315 (GBD) (SDA)**

Dear Judge Daniels:

This Office represents the government in this action in which the plaintiffs seek an order compelling U.S. Citizenship and Immigration Services (“USCIS”) to adjudicate their Applications to Register Permanent Residence or to Adjust Status (Forms I-485) and Refugee/Asylee Relative Petition (Form I-730). The Court has scheduled an initial conference in this matter for February 10, 2021. *See* ECF No. 2. On behalf of the government, I write respectfully to request an on-consent extension of time of two months to respond to the complaint (*i.e.*, from February 9, 2021 to April 16, 2021) and a corresponding adjournment of the conference to a date at least one week after the complaint would be due (*i.e.*, on or after April 16, 2021).<sup>1</sup>

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lly requested because USCIS has scheduled interviews for Form I-485 and Form I-730 on February 9, 2021. The government’s adjournment will provide adequate time for USCIS to conduct the interviews and determine what next steps may be necessary with respect to plaintiffs’ applications. Plaintiffs’ counsel has agreed to take adjudicative action, which potentially would render this action moot. This is the government’s first request to extend its deadline to respond to the complaint and adjourn the initial conference. Plaintiffs’ counsel consents to these requests.

I thank the Court for its consideration of this letter.

Respectfully submitted,

AUDREY STRAUSS  
United States Attorney

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cc: Counsel of record (via ECF)

<sup>1</sup> The response due date of February 9, 2021 is based on service by mailing on December 8, 2020, and previously had been improperly calculated as February 8, 2021.